



**STATE OF WASHINGTON  
DEPARTMENT OF LABOR AND INDUSTRIES  
EMPLOYMENT STANDARDS**

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<b>TITLE:</b>	<b>COLLECTIVE BARGAINING AGREEMENTS</b>	<b>NUMBER:</b>	<b>ES.A.6</b>
<b>CHAPTER:</b>	<b>RCW 49.46.110, RCW 49.12.187</b>	<b>REPLACES:</b>	<b>ES-011</b>
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**What is the relationship between the Minimum Wage Act, the Industrial Welfare Act, and a Collective Bargaining Agreement?**

A collective bargaining agreement must provide for payment of at least the minimum hourly rate of wage and provide for payment of at least one and one-half times the agreed hourly rate or the statutory minimum wage for hours worked over forty in a seven-day workweek.

The agreement may provide for wage payments that are greater than the above but it cannot be used as justification to pay workers less than that which is guaranteed by the Minimum Wage Act.

A collective bargaining agreement cannot waive the protections for covered workers under the Industrial Welfare Act, RCW 49.12, or any of the regulations promulgated thereunder. The department's interpretation of RCW 49.12 is that the statute and rules promulgated under it establish a minimum standard for working conditions for all employees in the state. Provisions of a collective bargaining agreement covering specific requirements for conditions of work, such as meal and rest periods, must be least equal to or more favorable than the provisions of these standards.